

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMAAL A. MCNEIL,

Defendant.

**8:06CR123**

**ORDER**

Defendant Jamaal A. McNeil appeared before the court on July 31, 2015 on a Petition for Offender Under Supervision [334]. The defendant represented himself Pro Se, with the assistance of Stand-by Counsel, Assistant Federal Public Defender Richard H. McWilliams on behalf of Jeffrey L. Thomas, and the United States was represented by Assistant U.S. Attorney Jeremy K. Anderson and Meredith B. Tyrakoski. The defendant requested a probable cause hearing on the Petition for Offender Under Supervision [334] pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. A combined preliminary hearing and detention hearing was held on August 4, 2015. The defendant represented himself Pro Se with the assistance of Stand-by Counsel, Jeffrey L. Thomas. The United States was represented by John E. Higgins. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Senior Judge Bataillon.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Senior Judge Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on August 28, 2015 at 3:00 p.m. Defendant must be present in person.

2. The defendant, Jamaal A. McNeil, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 5th day of August, 2015

BY THE COURT:

s/ F.A. Gossett, III  
United States Magistrate Judge